IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

RSA NO.4232 of 2006
DATE OF DECISION: February 12, 2007

Yash Pal Singh

….Appellant.

VERSUS

Karamjit Kaur and others

….Respondents

CORAM:- HON'BLE MR. JUSTICE VINEY MITTAL

PRESENT: Shri J.S.Chahal, Advocate for the appellant.

Viney Mittal,J.(Oral).

The defendant is tenant who has concurrently lost in a suit for possession filed by the plaintiffs.

The plaintiffs filed a suit for possession pleading that the tenant had been inducted in the shop in question on a monthly rent of Rs.200/- per month vide rent note dated January 20,1986 by Tara Singh, father of the plaintiffs. It was further claimed that Tara Singh had executed a Will dated July 22, 1998 and after his death, the plaintiffs have stepped into the shoes of their father and had become the owner of the same. It was claimed by the plaintiffs that tenancy of the defendants had been terminated through a notice and thereafter the plaintiff had no right to continue in possession of the shop.

The defendant took up various technical pleas. He challenged the execution of any Will by Tara Singh in favour of the plaintiffs. He also claimed that the plaintiffs were not entitled to seek the possession of shop.

Both the Courts below have held that the tenancy of the defendant had been terminated validly. It has also been held that after the termination of the tenancy, the plaintiffs had right to seek the possession of shop in question.

Nothing has been shown that the findings of fact recorded by the two Courts below suffer from any infirmity or are contrary to the record.

No question of law, much less any substantial question of law, arises in the present appeal.

Dismissed.

February 12, 2007 (Viney Mittal)
KD Judge